

TITLE 326 AIR POLLUTION CONTROL DIVISION**Final Rule**

LSA Document #13-502(F)

DIGEST

Amends [326 IAC 1-4](#) to add federal designations for the 2010 sulfur dioxide (SO₂) primary standard. Effective 30 days after filing with the Publisher.

HISTORY

Findings and Determination of the Commissioner Pursuant to [IC 13-14-9-8](#): November 20, 2013, Indiana Register (DIN: [20131120-IR-326130502FDA](#)).

Notice of Hearing: November 20, 2013, Indiana Register (DIN: [20131120-IR-326130502PHA](#)).

Change in Notice of Public Hearing: January 29, 2014, Indiana Register (DIN: [20140129-IR-326130502CHA](#)).

Date of Hearing: March 12, 2014.

[326 IAC 1-4-15](#); [326 IAC 1-4-50](#); [326 IAC 1-4-56](#); [326 IAC 1-4-64](#); [326 IAC 1-4-85](#)

SECTION 1. [326 IAC 1-4-15](#) IS AMENDED TO READ AS FOLLOWS:

[326 IAC 1-4-15](#) Daviess County

Authority: [IC 13-14-8](#); [IC 13-17-3](#)

Affected: [IC 13-15](#); [IC 13-17](#)

Sec. 15. The following attainment status designations are applicable to Daviess County:

Pollutant	Designation
SO ₂	Nonattainment effective October 4, 2013, for the 2010 SO₂ standard for Veale Township. Better than national standards for the remainder of the county.
CO	Unclassifiable or attainment effective November 15, 1990.
O ₃	Unclassifiable or attainment effective July 20, 2012, for the 2008 8-hour ozone standard. ¹
PM _{2.5}	Unclassifiable or attainment effective April 5, 2005, for the annual PM _{2.5} standard.
PM _{2.5}	Unclassifiable or attainment effective December 13, 2009, for the 24-hour PM _{2.5} standard.
PM ₁₀	Unclassifiable effective November 15, 1990.
NO ₂	Cannot be classified or better than national standards.
Pb	Unclassifiable or attainment effective December 31, 2011.

¹Unclassifiable or attainment effective October 18, 2000, for the 1-hour ozone standard which was revoked effective June 15, 2005.

(Air Pollution Control Division; [326 IAC 1-4-15](#); filed Dec 26, 2007, 1:43 p.m.: [20080123-IR-326070308FRA](#); filed Jan 30, 2013, 12:34 p.m.: [20130227-IR-326110774FRA](#); filed Oct 25, 2013, 2:41 p.m.: [20131120-IR-326130164FRA](#); filed May 14, 2014, 10:59 a.m.: [20140611-IR-326130502FRA](#))

SECTION 2. [326 IAC 1-4-50](#) IS AMENDED TO READ AS FOLLOWS:

[326 IAC 1-4-50](#) Marion County

Authority: [IC 13-14-8](#); [IC 13-17-3](#)

Affected: [IC 13-15](#); [IC 13-17](#)

Sec. 50. The following attainment status designations are applicable to Marion County:

Pollutant	Designation
-----------	-------------

SO ₂	Nonattainment effective October 4, 2013, for the 2010 SO₂ standard for Center, Perry, and Wayne townships. Better than national standards for the remainder of the county.
CO	Attainment effective February 18, 2000, for the part of the city of Indianapolis bounded by 11 th Street on the north; Capitol Avenue on the west; Georgia Street on the south; and Delaware Street on the east. Unclassifiable or attainment effective November 15, 1990, for the remainder of Indianapolis and Marion County.
O ₃	Unclassifiable or attainment effective July 20, 2012, for the 2008 8-hour ozone standard. ¹
PM _{2.5}	Attainment effective July 11, 2013, for the annual PM _{2.5} standard.
PM _{2.5}	Unclassifiable or attainment effective December 13, 2009, for the 24-hour PM _{2.5} standard.
PM ₁₀	Unclassifiable effective November 15, 1990.
NO ₂	Cannot be classified or better than national standards.
Pb	Unclassifiable or attainment effective December 31, 2011.
¹ Attainment effective October 18, 2000, for the 1-hour ozone standard for the Indianapolis area, including Marion County, and is a maintenance area for the 1-hour ozone National Ambient Air Quality Standards (NAAQS) for purposes of 40 CFR 51, Subpart X*. The 1-hour designation was revoked effective June 15, 2005.	

*These documents are incorporated by reference. Copies referenced in this section may be obtained from the Government Printing Office, 732 North Capitol Street NW, Washington, D.C. 20401 or are available for review and copying at the Indiana Department of Environmental Management, Office of Legal Counsel, Indiana Government Center North, Thirteenth Floor, 100 North Senate Avenue, Indianapolis, Indiana 46204.

(Air Pollution Control Division; [326 IAC 1-4-50](#); filed Dec 26, 2007, 1:43 p.m.: [20080123-IR-326070308FRA](#); filed May 14, 2008, 2:36 p.m.: [20080611-IR-326070840FRA](#); filed Jan 30, 2013, 12:34 p.m.: [20130227-IR-326110774FRA](#); filed Oct 25, 2013, 2:41 p.m.: [20131120-IR-326130164FRA](#); filed May 14, 2014, 10:59 a.m.: [20140611-IR-326130502FRA](#))

SECTION 3. [326 IAC 1-4-56](#) IS AMENDED TO READ AS FOLLOWS:

[326 IAC 1-4-56](#) Morgan County

Authority: [IC 13-14-8](#); [IC 13-17-3](#)

Affected: [IC 13-15](#); [IC 13-17](#)

Sec. 56. The following attainment status designations are applicable to Morgan County:

Pollutant	Designation
SO ₂	Nonattainment effective October 4, 2013, for the 2010 SO₂ standard for Clay and Washington townships. Better than national standards for the remainder of the county.
CO	Unclassifiable or attainment effective November 15, 1990.
O ₃	Unclassifiable or attainment effective July 20, 2012, for the 2008 8-hour ozone standard. ¹
PM _{2.5}	Attainment effective July 11, 2013, for the annual PM _{2.5} standard.
PM _{2.5}	Unclassifiable or attainment effective December 13, 2009, for the 24-hour PM _{2.5} standard.
PM ₁₀	Unclassifiable effective November 15, 1990.
NO ₂	Cannot be classified or better than national standards.
Pb	Unclassifiable or attainment effective December 31, 2011.
¹ Unclassifiable or attainment effective October 18, 2000, for the 1-hour ozone standard, which was revoked effective June 15, 2005.	

(Air Pollution Control Division; [326 IAC 1-4-56](#); filed Dec 26, 2007, 1:43 p.m.: [20080123-IR-326070308FRA](#); filed May 14, 2008, 2:36 p.m.: [20080611-IR-326070840FRA](#); filed Jan 30, 2013, 12:34 p.m.: [20130227-IR-326110774FRA](#); filed Oct 25, 2013, 2:41 p.m.: [20131120-IR-326130164FRA](#); filed May 14, 2014, 10:59 a.m.: [20140611-IR-326130502FRA](#))

SECTION 4. [326 IAC 1-4-64](#) IS AMENDED TO READ AS FOLLOWS:

[326 IAC 1-4-64](#) Pike County

Authority: [IC 13-14-8](#); [IC 13-17-3](#)

Affected: [IC 13-15](#); [IC 13-17](#)

Sec. 64. The following attainment status designations are applicable to Pike County:

Pollutant	Designation
SO ₂	Nonattainment effective October 4, 2013, for the 2010 SO₂ standard for Washington Township. Better than national standards for the remainder of the county.
CO	Unclassifiable or attainment effective November 15, 1990.
O ₃	Unclassifiable or attainment effective July 20, 2012, for the 2008 8-hour ozone standard. ¹
PM _{2.5}	Attainment effective October 27, 2011, for the annual PM _{2.5} standard for Washington Township. Unclassifiable or attainment effective April 5, 2005, for the annual PM _{2.5} standard for the remainder of the county.
PM _{2.5}	Unclassifiable or attainment effective December 13, 2009, for the 24-hour PM _{2.5} standard.
PM ₁₀	Unclassifiable effective November 15, 1990.
NO ₂	Cannot be classified or better than national standards.
Pb	Unclassifiable or attainment effective December 31, 2011.
¹ Unclassifiable or attainment effective October 18, 2000, for the 1-hour ozone standard which was revoked effective June 15, 2005.	

(Air Pollution Control Division; [326 IAC 1-4-64](#); filed Dec 26, 2007, 1:43 p.m.: [20080123-IR-326070308FRA](#); filed Jun 7, 2012, 11:21 a.m.: [20120704-IR-326110742FRA](#); filed Jan 30, 2013, 12:34 p.m.: [20130227-IR-326110774FRA](#); filed Oct 25, 2013, 2:41 p.m.: [20131120-IR-326130164FRA](#); filed May 14, 2014, 10:59 a.m.: [20140611-IR-326130502FRA](#))

SECTION 5. [326 IAC 1-4-85](#) IS AMENDED TO READ AS FOLLOWS:

[326 IAC 1-4-85](#) Vigo County

Authority: [IC 13-14-8](#); [IC 13-17-3](#)

Affected: [IC 13-15](#); [IC 13-17](#)

Sec. 85. The following attainment status designations are applicable to Vigo County:

Pollutant	Designation
SO ₂	Nonattainment effective October 4, 2013, for the 2010 SO₂ standard for Fayette and Harrison townships. Better than national standards for the remainder of the county.
CO	Unclassifiable or attainment effective November 15, 1990.
O ₃	Unclassifiable or attainment effective July 20, 2012, for the 2008 8-hour ozone standard. ¹
PM _{2.5}	Unclassifiable or attainment effective April 5, 2005, for the annual PM _{2.5} standard.
PM _{2.5}	Unclassifiable or attainment effective December 13, 2009, for the 24-hour PM _{2.5} standard.

PM ₁₀	Unclassifiable effective November 15, 1990.
NO ₂	Cannot be classified or better than national standards.
Pb	Unclassifiable or attainment effective December 31, 2011.
¹ Unclassifiable or attainment effective October 18, 2000, for the 1-hour ozone standard which was revoked effective June 15, 2005.	

(Air Pollution Control Division; [326 IAC 1-4-85](#); filed Dec 26, 2007, 1:43 p.m.: [20080123-IR-326070308FRA](#); filed Jan 30, 2013, 12:34 p.m.: [20130227-IR-326110774FRA](#); filed Oct 25, 2013, 2:41 p.m.: [20131120-IR-326130164FRA](#); filed May 14, 2014, 10:59 a.m.: [20140611-IR-326130502FRA](#))

LSA Document #13-502(F)

Findings and Determination of the Commissioner Pursuant to [IC 13-14-9-8](#): [20131120-IR-326130502FDA](#)

Hearing Held: March 12, 2014

Approved by Attorney General: May 2, 2014

Approved by Governor: May 9, 2014

Filed with Publisher: May 14, 2014, 10:59 a.m.

Documents Incorporated by Reference: None Received by Publisher

Small Business Regulatory Coordinator: Jessica Faust-Hamblin, IDEM Small Business Regulatory Coordinator, MC 60-04 IGCS W041, 402 West Washington Street, Indianapolis, IN 46204-2251, (317) 232-8172 or (800) 988-7901, ctap@idem.in.gov

Small Business Assistance Program Ombudsman: Steven N. Howell, IDEM Small Business Assistance Program Ombudsman, MC 50-01 IGCN 1301, 100 North Senate Avenue, Indianapolis, IN 46204-2251, (317) 232-8587 or (800) 451-6027, snhowell@idem.in.gov

Posted: 06/11/2014 by Legislative Services Agency

An [html](#) version of this document.